

**From:** [REDACTED]  
**To:** [Criswell, Tiffany@DCA](mailto:Criswell,Tiffany@DCA) <[Tiffany.Criswell@dca.ca.gov](mailto:Tiffany.Criswell@dca.ca.gov)>  
**Subject:** Re: FW: CPRA request (DCA.2018.01.14.a)  
**Date:** Tuesday, February 13, 2018 3:21 PM  
**Size:** 7 KB

I don't understand. Are you saying you're not going to give me anything because everything you have on this subject is part of the investigation of specific complaints and is therefore exempt? Or are you saying that some of the responsive material is exempt due to being investigatory and you are going to give me something?

Thanks,

To Whom it May Concern:

The Board for Professional Engineers, Land Surveyors, and Geologists is in receipt of your request for certain records under the California Public Records Act (Government Code Section 6250, et seq.). Specifically, you requested "memos, policy statements, rules, regulations, notes, emails, studies, research documents, board and/or committee minutes, legislative directives, and any other types of records relating to the Board's historical policy of deeming the preparation of tax assessment reports not to constitute the practice of civil engineering as defined in the BPC."

I sincerely apologize for our failure in responding to your request within ten days as required by the Act. However, your email message was misdirected to an email message box that is not intended for such inquiries, and was only recently retrieved from that box.

We have reviewed your request and have determined that there may be documents responsive to your request. However, all evidence and documents obtained by the Board during the investigation of a complaint, including the any reports, are considered part of the confidential complaint investigation file. As such, they are exempt from the disclosure requirements of the California Public Records Act. Specifically, Government Code section 6254(f) states, in pertinent part, nothing in the Public Records Act shall be construed to require disclosure of: "... any investigatory ... files compiled by any other state or local agency for ... licensing purposes." Any documents submitted to, obtained by, or created by the Board's Enforcement Unit during the course of a complaint investigation are considered to be investigatory files compiled by a state agency for licensing purposes. Therefore, we will not provide you documents related to complaint investigations relative to this subject matter.

Sincerely,

Tiffany Criswell - Enforcement [cid:image001.gif@01D3A4CC.2DAE07E0]  
Program Manager